+ NEW YORK. FRIDAY, DECEMBER 7, 1906, -Copyright, 1906, by The Sun Printing and Publishing Association.

# THE JAPANESE SCARE IS OVER

NO DANGER OF TROUBLE WITH THE FAR EASTERN POWER.

Japanese Ambassador Tells the President That the Message Pleases His Government and People-No New Treaty Is Being Negotiated, but May Be Soon.

WASHINGTON, Dec. 6.-The Japanese "scare," if it may properly be called that, appears to have disappeared. A confident feeling exists in official circles that danger trouble with the great Power of the Far East has passed away with the cordial reception given by the Government, press and people of Japan to the comments in President Roosevelt's annual message on the subject of discrimination against Japanese subjects in the United States. This teeling among his countrymen was echoed by the Japanese Ambassador, Viscount Aoki, during a personal visit to President Roosevelt yesterday. It became known to-day that Viscount Aoki had voluntarily gone to the White House and thanked the President for his complimentary allusions o dapan and the Japanese and for his promise that the rights of those Japanese subjects residing in the United States would be thoroughly protected. The best of feeling prevailed at the interview and no doubt can remain in the mind of the Japanese Government, if any existed there, that the Government of the United States was

That there is nothing acute in the situation is indicated by the departure of Secretary Reot from Washington for New York this afternoon. Mr. Root has been active in efforts to bring the Japanese trouble to an amicable conclusion and the President 12 relying upon his advice.

one of Japan's best friends.

This Government has felt certain from the first that the Government of Japan was confident of the lack of sympathy on the part of President Roosevelt and his official advisers with the discriminations practised against Japanese in California, but there was fear that the people of Japan would become worked up over the matter to such an extent that the Government at Tokio would be unable to resist popular pressure and would feel compelled, for its own political safety, to take radical action which would produce a clash between the two countries. That condition, it is believed now, has been happily averted, and everybody in Washington who was aware of the real situation is breathing much easier.

While there is abundant evidence that the reported negotiations for a new treaty between Japan and the United States have not been formally initiated, enough developed to-day to indicate that there may be some sort of exchanges with that end in view. Senator Perkins of California intimated that such was the case after he had had an interview with President Roosevelt

"Everything will be all right," said the Senator. "The people of California are a unit on this question, and the President is a great, patriotic American. I predict that negotiations will soon be begun for a new treaty to keep Japanese peons out of this country. The Japanese Government prefers that its people go to Manchuria and Cores, and we prefer it. So on that impor-

li is evident from this statement that the California Congressmen who claimed yesterday to have been informed that a new treaty to exclude laborers of Japan and the United States from the territory of either would be the outcome of the San rancisco school friction knew what they were talking about. There is nothing from an official source to show, however, that this Government has definitely made un its mind to negotiate the treaty.

Senator Perkins said other interesting thuigs bearing upon the situation after White House visit. He said that he had not talked with the President about the reference in Mr. Roosevelt's message to using the military forces of the Government in preserving the treaty rights of Japanese in this country, for the reason that he was satisfied that the President meant that he would go to the extreme indicated only in the event that these lapanese needed protection from physical

"The President," he said, "will learn that the Pacific Coast is unanimous in its sentiment, and he will not resist that sentiment. More fuss has been made about it in the last than out West. The truth is that there are not forty Japanese children of school age in San Francisco, and probably not one hundred in the whole State. Therefore it seems to me that the small number of children should make no objection to attending the schools set aside for them and maintained by taxation of white taxpayers. Here in Washington there are separate schools for white and colored children

"In California we have a law forbidding any minister to marry a Caucasian to a Mongolian. There has never been any rumpus about that. So why should there be about separation of the school children? I claim that we have not violated the treaty with Japan in letter or in spirit. If the courts see fit to uphold the contention that the treaty is violated we will see that s new treaty is made that will not give

Before taking action on the matter the Administration will await the outcome of the test case to be instituted in the California courts for the purpose of determinng whether the exclusion of Japanese from California public schools is a violation of treaty rights. Secretary Root is credited with having made the suggestion that this test case be instituted, and the Administration looks upon it as a solution of the present aspects of the difficulty.

The California Congressmen are in a much better state of mind than they were when they first heard what President Roose velt had to say in his message about discrimination against Japanese residing on the Pacific Coast. They have been assured from the White House that the President's reference to his intention to use military force if necessary and lawful was meant to apply only to an instance where Japanese rotected by treaty rights were threatened with physical violence.

Gov. Higgins Here for Several Days. Gov. Higgins came down from Albany resterday and put up at the Waldorf-Astoria, where he intends to stay until next week. He saw Chairman Woodruff yesterday and

expects to meet many Republicans not only of this city but from up State in the course

SENATOR BAILEY'S DEFENCE. Denies Waters-Pierce Oil Co. Ever Paid

Him a Cent -Bid Borrow From H. C. Pierce. Austin, Tex., Dec. 6 .- Senator J. W. Bailey to-night made public his answer to the charges of Attorney-General R. V. Davidson, that he had received money

from the Waters-Pierce Oil Company. Mr. Bailey says that he was never cor sulted about the dissolution of the old Waters-Pierce Oil Company and the organization of the present company.

Mr. Bailey denies that he ever received any money or anything of value from the Waters-Pierce company.

He admits that he has represented H. Clay Pierce personally in many matters and has engaged in numerous business enterprises with him, none of which, however, he says, related in any way to the Waters-Pierce company.

him, after the new Waters-Pierce Company | precinct and seven headquarters and prehad been formed, to intercede with the Attorney-General in behalf of the company; and that he did so. He says that Mr. Pierce offered to pay him for that service, but he refused to accept any compensation, declaring that he practised law and did not practice influence.

Mr. Bailey says that he soon after needed money and that he borrowed \$3,000 from Mr. Pierce, every cent of which was paid back with interest within a few months. Mr. Bailey also admits borrowing \$1,750 and \$8,000 from Mr. Pierce on other occasions, but declares that both loans were repaid.

Mr. Bailey declares that if the books of

the Waters-Pierce Company contain any entries indicating that he received from that concern any money, directly or indirectly, such entries are absolutely false. At a meeting of anti-Bailey men to-night an effort was made to induce Judge James

Robertson, former law partner of Gov. Hogg, to lead the fight against Bailey. Judge Robertson refused and declared his intention to vote and work for Bailey.

### TO PROBE HARRIMAN LINES. Formal Announcement Made by Interstate

Commerce Commission WASHINGTON, Dec. 6 .- Formal announce ment was made by the Interstate Commerce Commission to-day of its intention to probe the affairs of the railroads known as the Harriman lines. After a prolonged conference with Messrs. Frank B. Kellogg and A. Severance of St. Paul, counsel engaged in the case, the commission made public a statement as follows:

"The Interstate Commerce Commission has to-day ordered an investigation of the relations between the Union Pacific and Southern Pacific railway systems growing out of their common management and control. Messrs. Frank B. Kellogg and C. A. Severance of St. Paul have been retained to take charge of the investigation, which extends from New York to San Francisco. A conference was held this afternoon between the commission and counsel, at which the general subject was fully considered, but dates for hearings and other details have not yet been determined."

The announcement was further made that the active work of investigation will begin the latter part of this month. Hearings will be held in New York, Chicago, St. Louis, Kansas City, Denver, Salt Lake City Omaha and San Francisco. Every man connected with the Harriman roads supposed to have knowledge of the facts in the onduct and management of the system will be summoned as a witness before the commission. This means that F. H. Harri man and other prominent railroad men associated with him will have full opportunity to tell all they know about this latest and greatest combination of railroad

property in the United States. It is the opinion of Chairman Knapp that the inquiry will be completed about March 1. The evidence collected, if it justifies such step, will be certified to the Department of Justice, with a view to prosecuting the Harriman system as a combination in restraint of trade.

The determination of the Interstate Commerce Commission to go after the Harriman lines was foreshadowed in Washington despatches to THE SUN several days ago. The commission desires it to be made plain that it has nothing to do with the enforcement of the act aimed at combinations in restraint of trade; namely, the Sherman anti-trust law. But out of the inquiry inaugurated to-day proceedings against the Harriman railroads for violations of the interstate commerce act, the Sherman anti-trust act and the general conspiracy statutes are expected to grow. Under the authority with which it is clothed the commission may throw the searchlight upon the operations of any or all common carriers and thus disclose facts upon which criminal or civil proceedings against such carriers might lie

### PREACHER AND SON SINGED. The Rev. Dr. MacMullen Seeks Gas Pipe

Trouble With a Lighted Candle. The Rev. Dr. Wallace MacMullen he Madison Avenue Methodist Episcopal hurch, at 659 Fifth avenue, and his son Paul were burned about their faces and hands last night while trying to find what was wrong with the gas at Dr. MacMullen's home, 46 East Sixtieth street.

The trouble started on the second floor, where the gas refused to flow. Dr. Mac-Mullen suggested that there was water in the pipes and asked his son to accompany him to the cellar and hold a candle while he attempted to blow the water through the pipes. The minister and his son no sooner landed in the cellar with the lighted candle than there was an explosion which knocked both men off their feet. Rubbish in the cellar took fire at the same time. Paul MacMullen turned in an alarm of fire, and Engine Company 39, on the same block, soon put the fire out. The damage to the house was \$50. Dr. MacMullen will preach

## MOROCCO SULTAN PAYS UP.

Gummere Gets Satisfaction for All Injuries to American Citizens.

Special Cable Despatch to THE SUN Paris, Dec. 6 .- The Tangier correspondent of the Petit Parisien says that Mr. Gummere, the American Minister, has obtained satisfaction from the Sultan for all injuries inflicted by Moors on American citizens His domestics will also be indemnified for injuries.

#### Proposal to Make President's Term Six Years.

WASHINGTON, Dec. 6. Senator Cullom introduced a resolution to-day proposing a constitutional amendment making the term of the President and Vice-President six years, and declaring both ineligible for a second term, either by election or succession.

# FAGAN STARTLES JERSEY CITY

CHIEF OF POLICE MURPHY SUS-PENDED ON HIS CHARGES.

Also Three Captains and Seven Detectives -The Board to Suspend a Lot of Patrolmen-Charges Made Against an Inspector, but He Evades Suspension.

Mark M. Fagan of Jersey City, whom his friends love to call "the Mayor who does things," threw a bomb last night into the police department by preferring charges of misconduct in office against Chief of Police Benjamin Murphy, Police Inspector Samuel A. Archibald, Captains Charles Cox of the First precinct, John P. Kelly of the Second Mr. Bailey says that H. Clay Pierce asked | precinct and Albert Cummings of the Fourth cinct detectives. He practically recommended their dismissal from the depart-

ment.

The charges are a sequel to the Mayor's successful raid on five policy dives and several handbook men last Saturday, with the aid of Detective-Sergeant Frank Monahan, the Mayor's private sleuth, and a squad of Fagan policemen, over the head and without the knowledge of the chief. The accusations were read at a special meeting of the police board controlled by Fagan, and they were followed by formal individual charges, all of which were preferred by Monahan.

The board, by the votes of President Herbert Potts and Commissioner McNulty Fagan's uncle, promptly suspended Chie Murphy, the three captains and the de ectives pending trial. Commissioner John Mitchell, an organization Republican, voted in the negative and expressed himself rather forcibly against the proceedings as unusual.

Police Inspector Archibald presented an application for retirement when he learned that charges were to be preferred against him and filed an application for reirement on half pay to take effect to-day. The Fagan Commissioners jumped at the chance to get him off the force and retired him one minute after his application was read. The court room, on the top floor of the City Hall, was crowded with citizens. the majority of whom did not seem to approve of the Mayor's way of doing things. There were several demonstrations and President Potts said he would call out the reserves to clear the room. Even after he was suspended Chief Murphy begged the crowd to please keep quiet. After Inspector Archibald had been retired a long communication was read from the

Commissioner Mitchell wanted to know why Detective Sergeants Henry Clay Keenan, William Prescott and William Robinson had not been included among he headquarters staff against whom harges had been made. President Potts couldn't tell.

"I didn't make the accusations," he said. "Perhaps the Mayor may make further "I don't know anything against these men;

but let's be fair about it. They were all on the same kind of duty and it doesn't seem right to leave them out." "The Mayor," said Potts, "alleges that

ambling is going on. He making raids and arresting thirty-five men. I don't think we have any option in this matter when the Mayor makes the charges. "Why is it necessary," Commissioner Mitchell said, "to suspend these superior officers? We don't always suspend inferior officers when charges are made. I think the superiors are entitled to some courtesy If we had such wholesale suspensions you might as well throw the city open to crim-

Potts replied: "The Mayor says he can't make an investigation unless the men against whom charges are made are suspended. He insists on it. I feel as badly as you do about this, because all are friends of mine, but when I am called upon by the head of the city to do this what can I do? So far as I am concerned when the charges are tried I will be governed alone by the evidence produced. There will be no politics in this."

The individual charges were all for "neglect of duty, misconduct in office and incapacity and negligence."

Commissioner Mitchell moved that every policeman who has done day duty on posts visited by Fagan's raiding party have charges formulated against him and that he be suspended when the charges are made. The motion was unanimously carried. The following details were made of officers

all of whom are Fagan men, to take the places temporarily of the officers suspended; Sergeant James Hopkins, Fourth precinct cting inspector; Sergt. James Kelly, Sixth precinct, acting captain First precinct; Sergt, Edward Coughlin, Third precinct, acting captain Fourth precinct; Sergt. Charles McDevitt, Fifth precinct, acting captain Second precinct.

These men were made acting detectives Patrolman John Lane, Patrolman William Maxwell, Patrolman James Rooney, Roundsman Michael Johnson, Acting Patrolman Joseph Hanson (on the force six days), who got the evidence against the prisoners caught in the Mayor's raid, and Patrolman George Bell.

would exercise the duties of the chief of police during Murphy's suspension, with the assistance of Sergt. James Hopkins, the acting inspector. The detective sergeants suspended on harges were Daniel Lee, First precinct;

The Commissioners decided that they

David Noble, Second precinct; Gus Holtic, Fourth precinct, and Frank Bennett, Michael Clark, Robert Pierson and Halsey Van Horn, headquarters.

## on Sunday minus his eyebrows and some RUEF AND SCHMITZ ARRAIGNED. Enter Pleas Next Monday

San Francisco, Dec. 6.—Mayor Schmitz and Abe Ruef were formally arraigned to-day for extortion. They will not be called upon to plead until Monday.

About the only noteworthy features of the hearing were the efforts of Ruef to escape rising to his feet when the indictments were read and further evidence that Mayor Schmitz will make an individual

The Mayor affected great good humor and Ruef cracked several jokes, but both

BALTIMORE & OHIO TO CHICAGO.

Chicago Limited Leaves 23d Street 7:50 A. M.

Liberty Street 8:00 A. M.; arrives Chicago 9:45 A. M.

#### HARVARD GETS "SPECTATOR." Only Complete Set Known to Exist Bough for \$500 in Philadelphia.

CAMBRIDGE, Mass., Dec. 6.—The Harvard College library has just received a complete set, 635 numbers, of the Spectator, published in the early part of the eighteenth

century. Before the set which Harvard has acquired was discovered it was thought that no complete set existed. Of the first series, the Harvard library, the Bodleian Library at Oxford University and the British Museum had complete sets, but no complete file of the second series was known. For years the British Museum has offered a large sum for such a set, but search for it was fruitless.

It was by chance that Harvard stumbled across the complete set. It had belonged to a Mr. Bement of Philadelphia, and along with a part of his collection was turned over to Rosenbach & Co. for sale. This firm deals in pictures and was unaware of the value of the volumes. The set was listed in their catalogue

at \$500 and was discovered there by W. R. Castle, instructor in English, and Glidden Osborne, the Harvard football player, who is a collector of rare volumes. called attention to the find, and without delay \$500 was sent to Philadelphia, and the books came to Cambridge.

The set is worth many times what the college paid for it, besides being one of the biggest literary discoveries of recent years. To add to the value of the collection the binding was done by Reviere

#### MAY VISIT SICK SISTER AT WILL Mrs. J. E. Roosevelt Applies to Court for an Order, but Lawyers Agree.

Mrs. John Ellis Roosevelt, whose husband is a cousin of the President, applied vesterday to Supreme Court Justice Davis for an order permitting her to visit without restraint her sister, Mrs. Constant A. Andrews, who has been for three years in a sanitarium at White Plains. Mrs. Roosevelt also wants to have her physician. Dr. Vedder, permitted to see Mrs. Andrews at

On the application Mrs. Roosevelt stated that she had not been allowed to see her sister, except under surveillance. To Dr. Vedder, who was Mrs. Andrews's own physician, admission had been denied, according to Mrs. Roosevelt, but he did see the patient once. His visit appeared to do Mrs. Andrews a great deal of good, and Mrs. Roosevelt thinks that if he were allowed to visit her continually it might improve the patient's condition.

There was opposition to the motion by counsel for Mr. Andrews, but when Justice Davis intimated that he would grant the application there was a consultation between the lawyers and they left the court room saying that they would reach an agreement out of court.

Constant A. Andrews is president of the United States Savings Bank. Mrs. Andrews before her marriage was Miss Blanche L Vance. At the instance of her mother, Mrs. Augusta B. Vance, a commission was appointed in 1900 to inquire into her sanity, and her property is now held in trust.

### FROM A SANITARIUM TO SUICIDE Miss MacRoberts Leaps From a Break-

water at Brighton Beach. Miss Ethel MacRoberts of 218 Martense avenue, Flatbush, Brooklyn, escaped from the Aubrey Vaughn Institute, a private sanitarium at Jefferson and Marcy avenues, Brooklyn, yesterday morning and committed suicide by jumping from a breakwater near the Parkway Baths, Brighton Beach. She was 24 years old.

Miss MacRoberts had been mentally unbalanced since the death of her father two years ago. Her mother, Mrs. William Mac-Roberts, had sent her to many health resorts and sanitariums. Finally, three days ago, she was taken to the Aubrey Vaughn Institute by her brother, William T. Mac-Roberts, a real estate broker of Flatbush. Shortly before noon yesterday Mrs. Mac-Roberts was notified by the officials of the institution that her daughter had escaped. A search was immediately begun, several neighbors of the family assisting

The girl went to Brighton Beach and walked out to the end of a long stringpiece, where she leaped into the ocean. Her cries were heard by Thomas Clare and William Cohen, two young men living at the corner of Ocean Parkway and Sea Breeze avenue, Coney Island. Plunging into the surf the men swam toward her, but the waves dashed her against the piling and her life had been beaten out before they got to her. Cohen and Clare drew her body ashore.

#### SWIFT ELEVATOR GAVE SHOCK. Mrs. Hennion Dies of Lockjaw Soon After Visit to a Department Store.

PATERSON, N. J., Dec. 6.-The swift descent of an elevator in a New York department store last week resulted in such a nervous shock to Mrs. Gertrude May Hennion of Butler, N. J., that she never the results of the canal inquiry for the recovered. She died to-day at her home of lockjaw. She was about 25 years old and had been married a year.

The express elevator shot down with great velocity. Mrs. Hennion became frightened and excited and when the ground floor was reached she was in a highly neryous state. When she reached her home in Butler she complained of a severe pain in her head. That evening she became so ill that a physician was called. She failed to respond to ordinary treatment for nervous ailments and a consultation of physicians was called. They decided that the young woman was suffering from lock-jaw induced by nervous shock.

## FIVE CELLAR FIRES Police Arrest a Boy and a Man Seen at

Joseph Glasser, a butcher boy of 829 Columbus avenue, and John Scase, a plasterer of 105 West 100th street, were locked up in the West 100th street station house early this morning, suspected of knowing about five cellar fires which were discovered in the district between Amsterdam and Columbus avenues, 101st and 103d streets

last night.

Kerosene and shavings were found in one in the basement of 871 Amsterdam avenue. Dr. W. S. Haugh of 213 West 104th street, who caused the boys' arrest, said that he saw them at all the fires. House Furnisher Sues Newbury D. Lawton. Frank N. Dowling, a house furnisher, has

begun a suit against Newbury D. Lawton

in the City Court to recover \$713 for wall paper and furniture supplied for the yachts-man's home in New Rochelle. Senator Marks, counsel for Dowling, has been unable to make a personal service on Lawton. BALTIMORE & OHIO MIDNIGHT SLEEP-ERS to Baltimore and Washington from foot Liberty Street 1.30 A. M. (23d Street 11.50 P. M.). Sleepers ready for occupancy at 10 P. M.—Ade. Try Gold & Black Label 1. 2 & 3 Crown Sherries of A. R. Ruiz & Hermanos, Jerez, Spain. -Ade.

# BAXTER, WITH NO CONDITIONS,

TO BE ASSEMBLY CLERK-FRAN-CHOT'S PLACE NOW DISPUTED.

The Odell-Payn Men, With Van Alstyne, and the Aldridge Men, With Mead, Threaten to Make the State Echo With Descriptions Each of the Other's Candidate.

Chairman Woodruff of the Republican State committee announced yesterday that Col. Archie E. Baxter would be reelected clerk of the Assembly, that Ray D. Smith would be reelected assistant clerk and that this arrangement had come to pass without any compromise whatever. Speaker Wadsworth in taking up the cudgels for Col. Baxter settled the whole matter. Representative Fassett's friend Sherman Moreland of Chemung is to be reelected Assembly floor leader of the majority. The compromise talked of by Chairman Woodruff and others to the effect that if Col. Baxter was reelected this time and the opposition of Ray. B. Smith's friends was withdrawn Col. Baxter would not be a candidate for clerk next winter fell to the ground, for the reason, it was stated, that Col. Baxter would not consent to any such arrange-

With the clerkship difficulty settled, the fight for State Superintendent of Public Works broke out with renewed vigor. Governor-elect Hughes is to select a Superintendent to succeed Mr. Franchot, who goes out with Gov. Higgins. The Odell-Payn wing of the party has advanced as its candidate Henry A. Van Alstyne of North Chatham, Columbia county, at present State Engineer and Surveyor, who was defeated for reelection in November. George W. Aldridge and his friends have advanced at their candidate Winslow M. Mead of Rochester, Deputy Superintendent of Public Works for the last twelve years. Mr Aldridge arrived in town yesterday to look after Mr. Mead's interests. The Odell-Payn people have been active for Mr. Van Alstyne since it became known that the Republican State ticket was defeated. Each set said sharp things yesterday of the other's can-

The Aldridge men said that Edward A. Bond, formerly State Engineer and Surveyor, and now one of the Canal Advisory Board appointed by Gov. Odell, and other members of the advisory board, as well as the special canal examiners and appraisers, also appointed by Gov. Odell, were back of Mr. Van Alstyne and aiding Mr. Odell and Louis F. Payn in the efforts to secure Mr. Van Alstyne's appointment in return for the favors which Gov. Odell showed them in his second term. The canal board which voted to give the Furnaceville Iron Company that \$34,000 which a Republican Attorney-General, Julian C. Davies, said was an overcharge, and which many witnesses said should not be allowed. included Mr. Bond, as State Engineer, and Nathan L. Miller. The Aldridge people said that Mr. Odell had Mr. Bond resign as State Engineer, giving the place to Van Alstyne, and then made Mr. Bond, on February 18, 1904, one of the five advisory board of consulting engineers for the improvement of the canals at a salary much larger than that which he received as State En-

warded others who helped him to become State chairman when he was Governor and thus secure control of the Republican State machine, and that these others are now aiding Mr. Odell, Mr. Payn and Mr. Bond in boosting along Mr. Van Alstyne They said that these special canal examiners and appraisers who helped turn over the machine to Odell were Harvey J. Donaldson of Bailston Spa, George Bingham of Lancaster and George R. Manchester of New York. Mr. Donaldson helped by voting to oust William W, Worden of Saratoga as Republican State committeeman, Bingham helped to make William Warren of Buffalo, a strong Odell man, State committeeman for his district, and Mr. Manchester, to please Odell when Odell captured the New York Republican county committee, retired as secretary to give place to Armitage Mathews, Abe Gruber's man, who afterward killed himself on the morning of the day set for his trial for plundering an estate.

The Odell-Payn people said that the Aldridge folks had gone out of their way to attack Mr. Van Alstyne, and they said that Mr. Mead, as Mr. Aldridge's Deputy Superintendent of Public Works, came within the scope of ex-Judge Countryman's opinion that Mr. Aldridge and his subordinates had made a fine scandal of the \$9,000,000 canal fund; that Mr. Aldridge should have been prosecuted, and that his subordinates should either have been prosecuted or made to turn State's evidence. They said that Mr. Aldridge, to get even with Judge Countryman, had successfully urged Mr. Odell as Governor to veto an appropriation for \$9,000 to pay Judge Countryman for his services in formulating

The new Superintendent of Public Works will have 2,500 appointments in his hands, and it is promised that before January 1 the State will echo with the racket over

the man who is to succeed Mr. Franchot Governor-elect Hughes's friends, though, said that he had not indicated his choice of a State Superintendent of Public Works and that he doesn't have to take either Van Alstyne or Mead.

#### OUR DEAL WITH GERMANY. Query in Commons if We'll Put the Kalser's Ships Under Our Flag If War Comes

Special Cable Despatch to THE SUN

LONDON, Dec. 6.- In the House of Commons to-day George Frederick Bowles, Conservative member for Lambeth, in pursuance of the notice he gave the other day. asked Sir Edward Grey, the Foreign Secretary, whether any convention or arrangeand Germany providing that in the event of Germany's becoming engaged in war the mercantile marine of Germany would be taken under the American flag, also whether the Government had received any communication with regard to the matter from Sir Mortimer Durand, the British Ambassador at Washington

Sir Edward replied that the Government had received no communication of any kind on the subject, but would be glad to receive any reliable information that Mr. Bowles might be able to give.

GREAT BEAR SPRING WAFER.

### THIRTY PULAJANES KILLED.

Eighth Infantry in a Fight, Losing Fou Killed-Lieut. Yates Wounded. Special Cable Despatch to THE SUN.

MANILA. Dec. 6 .- A company of the Eighth Infantry and a detachment of constabulary commanded by Capt. Ham have had a fight with Pulajanes in Leyte.

Thirty of the Pulajanes were killed. Capt. Ham lost four men killed and eight wounded. Among the latter is Lieut, Ralph Yates of the constabulary, whose injuries are not serious.

## HIGGINS READS PATRICK CASE. Has Received No Application From the

Prisoner for Clemency Gov. Higgins, it can be stated, is prepared o give careful consideration to an appeal for clemency by Albert T. Patrick if Patrick will himself make the appeal and if he will withdraw the appeal he has made to the United States Supreme Court. An appeal has been made to the Governor by Patrick's wife and others of his relatives for either a pardon or a commutation, but it can be said upon authority that Patrick himself has not made any such plea, and unless Patrick withdraws his application to the United States Supreme Court Gov. Higgins is not likely to take any action for the reason that he considers that the case is out of his jurisdiction so long as the case is in the

Gov. Higgins appears to expect that Patrick will send a petition to him. The Governor has been studying for over a week past the evidence submitted to the trial court and the arguments made before the Court of Appeals.

When Gov. Higgins was asked last night if from the study he had given to the case there was any possibility that he might find grounds for Executive elemency he replied that not only had he reached no conclusion but that so far as he had gone into the case as yet it was impossible for him to even intimate what action he might feel justified in taking.

#### EDUCATION BILL PASSES LORDS Compromise Likely to Be Arranged-Ne Signs of Popular Outbreak

Special Cable Despatch to THE SUN LONDON, Dec. 6.- The House of Lords has assed on its third reading the much amended education bill, which will be returned to the House of Commons on Mon-

There are no signs of the predicted popular outbreak against the peers in connection with their treatment of the bill. The opinion grows that a compromise will be arranged in the coming recess and that a new bill, based on this, will pass at the next

# SEWED TOWEL UP INSIDE WOMAN.

Surgeons Make Second Incision to Remove Cloth Forgotten at First Operation. LINCOLN, Neb., Dec. 6.-Miss Lulu Summers, sister of United States District Attorney Summers, was to-day relieved of a towel which she had carried sewed up in her abdomen for five weeks, where it was forgotten by surgeons who performed an

operation for appendicitis. A second operation was necessary to

remove the towel. Five weeks ago Miss operated upon, and although the wound healed she failed to recover. She insisted that there was something within the cavity. Finally the surgeons decided upon a second operation and a towel which had been used in the first operation was found.

### PRUSSIA TO IMPORT CHINESE. Searcity of Farm Laborers Makes This Step Necessary

Special Cable Despatch to THE SUN BERLIN, Dec. 6. The scarcity of farm laborers in Prussia has determined the arresting Miss Munro's chauffeur by de-West Prussian Agricultural Association to

import Chinese coolies. The association adopted a resolution declaring that while the step was regrettable and undersirable in many aspects it was an absolute necessity. A committee was appointed to arrange the preliminaries with

### LOW IN AUTO THAT KILLS NEGRO. Chauffeur of Machine Carrying Former Mayor Runs Into Crowd.

MONTGOMERY, Ala., Dec. 3.-An autoand three members of the Montgomery Commercial Club were going to the State Capitol this morning killed a negro.

The chauffeur, to avoid hitting a truck. swung into a bunch of negroes at a street corner, knocking three of them over. One died later at a hospital.

Mr. Low was the chief speaker at a banquet this evening. To-morrow he will be the guest of the city of Birmingham.

# MOTORMEN'S WAGES AGREED ON.

New Haven Road's Electric Train Drivers to Get Same Pay as Locomotive Engineers. NEW HAVEN, Dec. 6. An agreement has been reached between the New Haven road and its engineers that for the operators of electric motors, when the latter are installed on the New York division, the motorme will get the prevailing rate, three and a half

cents a mile, with 100 miles as a day's run. Before the electric equipment is running the passenger engineers expect an increase of half a cent a mile, the rate the freight engineers have been getting for some time. The electric motormen will, in that event,

### STENOGRAPHER PUT BACK Who Was Got Out of Park Department by Abolishing His Place,

By a verdict rendered in the Supreme Court yesterday Robert S. Sutliffe, who was removed from the place of stenographer and clerk in the Park Department in January, 1904, will be put back. Sutliffe was private secretary to Commissioner Cruger and then took a civil service exami-nation as clerk. His place was abolished, and Mr. Cruger and others testified that it was abolished without cause. Sutliffe will now sue for his back salary

### State Board Settles One Strike The State Board of Arbitration and Media-

tion, which hasn't settled many strikes, scored one yesterday. The strike was that of the Umbrella Makers' Union for higher wages. The strike and lockout were settled at a conference between repre-sentatives of the State board, the strikers and the employers. It was agreed that both strike and lockout be declared off and that all the men go back to work at present wages, pending a resettlement in June.

# LESLIE CARTER WANTS \$41,000

PRICE TWO CENTS.

FROM HEREX-CHUM, NORMAMUN-RO, AS ONE YEAR'S LOANS.

#### \$10,000 Lent, She Says, for Gifts to Belasco and Others-Auto, \$6,960-Pawn Tickets Also Wanted-Miss Munro Said to Have Given Away Her Fortune.

Mrs. Leslie Carter, the actress, who married William Lewis Payne suddenly last ummer, has sued her former chum, Norma L. Munro, for \$41,799, alleged debts which the actress says were contracted between July 1, 1905, and July 11, 1906. She secured an attachment for the amount yesterday. which was handed a deputy sheriff to levy on any property of Miss Munro's that he

may be able to find. A schedule of Mrs. Carter-Payne's ciaims against Miss Munro was given to her attorney, Henry Bogert Clark of 11 Pine street, in September, at which time Mrs. Carter's attorneys, Hoadly, Lauterbach & Johnson, first insisted that their client had a lot of money coming from Miss Munro.

The schedule includes these items:	
Loan for Calvé	\$500
Academy of Music	2,750
Flower bills	250
Cost of automobile and accessories	6.960
Pearl bracelet	7.5
Gold and diamond bracelet	110
Dog collar pearls	1.300
Three little rings	270
Replevin action against Mrs. Osborn	1,500
Retainer for Mr. Webb	500
Money borrowed in Washington	4,200
Cash for dog Dimple	300
Board of servants	1,000
Bills for clothing, doctors and necessaries	10,000
Presents to Tunis Dean, Mr. Belasco and	
other friends	10.000
Payments for presents to servants	135
Money advanced on jewelry in Chicago	1.150
Money advanced on jewelry in Worcester	1,250
Total small amounts given Miss Munro	5,000
These items, with minor ones here om	itted.

footed up \$57,999 when the schedule was handed to Miss Munro's attorney. Mr. Clark said last night that he didn't know what items had been struck off the list to bring Mrs. Carter-Payne's bill down to \$41,799, but he is sure none of the alleged debts has been paid since the original list was handed in.

Mr. Clark had a little knowledge concerning some of the items on the list, but he was in the dark as to most of them. The loan to Emma Calvé, the diva, occurred last November, he said. Calvé then wrote to Mise Munro, with whom she had been very friendly, that she needed \$500 in a hurry Miss Munro didn't have it at the time and told Mrs. Carter that they ought to help Calvé out if possible. Mrs. Carter said she was sorry, but she happened to be short herself just then. The two women finally went to Henry Munro, Norma's brother Henry got the promise that if he gave up the money he would get it back within a week. When the time came the money

was paid over to Henry by Mrs. Carter. Since Mrs. Carter and Miss Munro parted ompany in July, just after the actress had turned a little picnic trip with Miss Munro and a number of other friends into a honeymoon, there has been great contention between the two as to the ownership of an automobile, which is charged up to Miss Munro on Mrs. Carter's bill. Mr. lark said that he had frequently told Mrs. Carter and her son, Dudley, that if they thought they owned the machine they

ought to replevin it. "Dudley Carter tried to get the machine several times while Miss Munro had it at Monmouth Beach last summer," said Mr. Clark. "One time he came down there at 4 o'clock in the morning and tried to take it out of Miss Munro's barn. Henry Munro and a friend got wind that he was coming and slept in the machine. They gave him a warm reception. At another time he tried to bulldoze a policeman into claring that the auto had been stolen. If Mrs. Carter paid for it, as she says she did, it is pretty certain that she would have

had possession of it before now. Mr. Clark said that he happened to be informed on the \$300 item relating to the dog Dimple, which dog is now in the possession of Mrs. Carter, he says. When he got wind that Mrs. Carter was to make various claims against Miss Munro he hunted up the man in Washington from whom Dimpla, a Boston bull terrier bitch, was bought The lawyer holds a long legal document which states that the former owner of mobile in which Seth Low of New York | Euclid Dimple, which is the terrier's full name, has absolutely no claim against Miss

Miss Manro's lawyer said he didn't know anything about Mrs. Carter's claim for presents to Tunis Dean, who was formerly Mrs. Carter's personal manager, David Belasco and others, but that Norma Munro's only fault had been her generosity to her

"When Norman Munro died he left about \$1,500,000, and nearly all of that has been spent by Norma on her friends," said Mr. Clark. "I don't just figure out why Mrs. Carter paid \$10,000 for gifts that were credted to Miss Munro."

The replevin action mentioned in the schedule was brought by Miss Munro against her former friend and business associate, Mrs. Robert Osborn, last spring, to recover a lot of jewels and furniture in Mrs. Osborn's Rutherford place residence. In connection with the claims for money advanced on jewelry in Chicago and

Worcester this note is attached to the bottom of Mrs. Carter's schedule of claims: "The tickets for the above jewelry are in the possession of Miss Munro and Mrs. Carter has frequently demanded their return."

Speaking in a general way of Mrs. Carter's claims against Miss Munro, Mr. Clark said: "When Mrs. Carter's attorneys told me some months ago that Mrs. Carter had a claim against Norma I asked them to sue at once if they thought they had a case Miss Munro was at her summer home in Monmouth Beach all summer long and they had plenty of chance. But no, they wait until she sailed for Europe last October with her cousins, Mr. and Mrs. Frank Goodspeed, and they start this suit for the purpose of annoying Miss Munro.

"The attachments secured in this suit are for property said to be owned by Miss Munro at 24 Vandewater street and 36 Central Park South. Both Mrs. Carter and her attorneys must know that as long ago as last July Miss Munro transferred her third interest in these properties to her method At that time she owed her mother not least

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